

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CHRISTINE MALAFI
COUNTY ATTORNEY

DEPARTMENT OF LAW
ADDRESS ALL COMMUNICATIONS
IN THIS MATTER TO:

February 4, 2005

Hon. Dennis R. Hurley, U.S.D.J.
United States District Court
Long Island Courthouse
100 Federal Plaza
P.O. Box 9014
Central Islip, New York 11722


Re: Nogueras v. Suffolk County, et al.
CV03-2937 (DRH)

Dear Judge Hurley:

Enclosed for Your Honor's signature, please find a Stipulation of Discontinuance signed by all parties with reference to the above captioned matter which we respectfully request be "so ordered".

Respectfully submitted,

CHRISTINE MALAFI
SUFFOLK COUNTY ATTORNEY


Richard T. Dunne
Assistant County Attorney

RTD/fb
Att.

cc: Philip E. Taubman, Esq. - Attorney for Plaintiff
Allen M. Kranz, Esq. - Attorney for Nicholas Migliore

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RD-6665

VALERIE NOGUERAS,

Plaintiff,

-against-

**STIPULATION AND ORDER
OF VOLUNTARY
DISMISSAL**

CV03-2937 (DRH)(ETB)

COUNTY OF SUFFOLK, SUFFOLK
COUNTY SHERIFF'S DEPARTMENT,
SUFFOLK COUNTY POLICE
DEPARTMENT and NICHOLAS
MIGLIORE, Sued herein in his
Individual Capacity and in his
Capacity as Employee, Agent and/or
Servant of the COUNTY OF SUFFOLK,

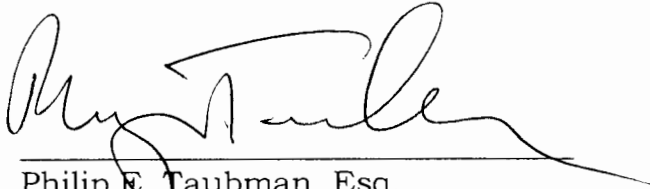
Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the respective parties hereto, that the above-captioned action be, and the same hereby is voluntarily dismissed with prejudice, pursuant to F.R.C.P. Rule 41(a)(1), without costs or attorneys' fees to any party, and,

IT IS FURTHER STIPULATED AND AGREED, that the individually named Deputy Sheriff Nicholas Migliore, will not seek indemnification from the County of Suffolk under Chapter 868 of the laws of 1984 of the State of New York and Suffolk County Resolution number 872 of 1984, adopting the aforementioned State law, for the monies he has agreed to pay plaintiff in settling the matter against him individually.

IT IS FURTHER STIPULATED AND AGREED, that this Stipulation may be so ordered via endorsement hereon without further notice to any party.

Dated: Hauppauge, New York
December ____, 2004



Philip E. Taubman, Esq.
Attorney for Plaintiff
TAUBMAN & KIMELMAN
30 Vesey Street, 6th Floor
New York, NY 10007



Allen M. Kranz, Esq.
Attorney for Nicholas Migliore
ROSENTHAL, CURRY & KRANZ, LLP
1600 Front Street
East Meadow, NY 11554



CHRISTINE MALAFI
Suffolk County Attorney
BY: Richard T. Dunne
Attorney for County of Suffolk
H. Lee Dennison Building
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, New York 11788-0099

SO ORDERED:

Dated: Central Islip, New York

_____, 2004

DENNIS R. HURLEY, U.S.D.J.